

REMARKS

This preliminary amendment is being filed with a Continuing Patent Application filed pursuant to 37 C.F.R. § 1.53(d).

Claims 1, 30-51, and 54 are now pending. No claims are allowed. Claims 1, 30-51, and 54 were rejected in a final office action dated January 13, 2003. Claims 2-29 and 52-53 have been cancelled without prejudice or disclaimer. Claims 1, 39, 41, 42, 44, and 46-48 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. New claims 55-57 have been added by this amendment and also particularly point out and distinctly claim subject matter regarded as the invention. Claims 55-57 are means-plus-function claims corresponding to method claims 39-41. No "new matter" has been added by the amendment.

Record of Interview

On April 8, 2003, an interview was conducted by telephone between the Examiner and John P. Schaub, Reg. No. 42,125. The Examiner is thanked for granting this interview.

The Final Office Action of January 13, 2003 was discussed, particularly the § 103 rejection of claims 1 and 30-54. The undersigned noted that none of the references refer to context barriers on small footprint devices, and the Montenegro¹ and Ramanathan et al.² references refer to network firewalls, while the independent claims of the present

¹ USP 6,233,688.

² USP 6,041,041.

C

invention recite a context barrier that separates modules configured to operate on a small footprint device. The undersigned agreed to modify the independent claims to make this distinction more clear. The undersigned also noted that the modules disclosed in the Bruckert et al.³ reference are not *program* modules.

As all the independent claims have been amended to include limitations not shown or suggested by the cited art, the Examiner's objections should now be rendered moot.

The 35 U.S.C. § 103 Rejection

Claims 1 and 30-54 stand rejected under 35 U.S.C. §103 as being allegedly unpatentable over Montenegro.⁴ This rejection is respectfully traversed.

According to the Manual of Patent Examining Procedure (M.P.E.P.),

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant's disclosure.⁵

The amended claims include limitations not disclosed or suggested by Montenegro.

³ USP 4,916,704.

⁴ Office Action dated January 13, 2003, ¶ 3.

⁵ M.P.E.P § 2143.

C

Independent Claims 1, 39, 41, 42, 44, and 46-48

Amended claims 1, 39, 41, 42, 44, and 46-48 specify that the program modules isolated by a context barrier on a small footprint device are configured to operate on the small footprint device. Montenegro does not teach or suggest these elements. Rather, Montenegro discloses a firewall that prevents unauthorized access into the intranet by users/computers connected to the Internet.⁶ Support for the amendment made to claims 1, 39, 41, 42, 44, and 46-48 is provided in the original specification, page 9 lines 9-14, and FIG. 12. Accordingly, the Applicants respectfully request the U.S.C. § 103 rejection with respect to claims 1, 39, 41, 42, 44, and 46-48 be withdrawn.

Dependent Claims 30-38, 49-51, 40, 54, 43, and 45

Claims 30-38 and 49-51 depend from claim 1. Claims 40 and 54 depend from claim 39. Claims 43 and 45 depend from claims 42 and 44, respectively. Claims 1, 39, 42, and 44 being allowable, claims 30-38, 49-51, 40, 54, 43, and 45 must also be allowable. Accordingly, the Applicants respectfully request the 35 U.S.C. § 103 rejection with respect to claims 30-38, 49-51, 40, 54, 43, and 45 be withdrawn.

Additionally, claims 30-38, 49-51, 40, 54, 43, and 45 recite additional limitations not disclosed or suggested by Montenegro.

Claim 30 recites a context barrier that allocates separate name spaces for each program module. This element is not disclosed or suggested by Montenegro. Claim 31

⁶ Montenegro at col. 3 lines 27-29.

C

depends from claim 30 and thus includes this element. For this additional reason, the U.S.C. § 103 rejection of claims 30 and 31 is unsupported by the art and should be withdrawn.

Claim 32 recites a context barrier that allocates separate memory spaces for each program module. This element is not disclosed or suggested by Montenegro. Claim 33 depends from claim 32 and thus includes this element. For this additional reason, the U.S.C. § 103 rejection of claims 32 and 33 are unsupported by the art and should be withdrawn.

Claim 34 recites a context barrier that enforces security checks on at least one or a principal, and object, and an action. This element is not disclosed or suggested by Montenegro. Claims 35-38 depend from claim 34 and thus include this element. For this additional reason, the U.S.C. § 103 rejection of claims 34-38 is unsupported by the art and should be withdrawn.

Claim 40 recites a context barrier that will not permit a principal to perform an action on an object unless both principal and object are part of the same context unless the request is for access to an entry point object. This element is not disclosed or suggested by Montenegro. Claim 54 depends from claim 40 and thus includes this element. Additionally, claim 54 recites that if a principal in a first context performs an action on an entry point object in a second context, when the action is performed, it will execute within the second context. This additional element is not disclosed or suggested

by Montenegro. For these additional reasons, the U.S.C. § 103 rejection of claims 40 and 54 is unsupported by the art and should be withdrawn.

Claim 49 recites a program module that is a supercontext of one of the modules isolated by a context barrier. This element is not disclosed or suggested by Montenegro. For this additional reason, the U.S.C. § 103 rejection of claim 49 is unsupported by the art and should be withdrawn.

Claim 50 recites that the processing element runs each program module as a separate context. This element is not disclosed or suggested by Montenegro. For this additional reason, the U.S.C. § 103 rejection of claim 50 is unsupported by the art and should be withdrawn.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Request for Allowance

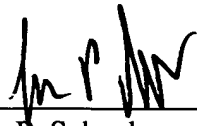
It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number

indicated below. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1698.

Respectfully submitted,
THELEN REID & PRIEST, LLP

Dated: April 10, 2003



John P. Schaub
Reg. No. 42,125

THELEN REID & PRIEST LLP
P. O. Box 640640
San Jose, CA 95164-0640
Tel: (408) 292-5800